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October 13, 2017

VIA ECF

Honorable George B. Daniels
United States District Court
for the Southern District of New York
Daniel P. Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: ***Tantaros v. Fox News Network, LLC, et al.*, No. 17-cv-2958 (GBD):
Plaintiff's Motion to Join the Estate of Roger Ailes**

Dear Judge Daniels:

We were the attorneys representing Roger Ailes in this action before he passed away. We understand that a motion has been made by Plaintiff to join Mr. Ailes' estate as a defendant in this action. We also understand that the estate itself has not yet been served with that motion and intends to oppose it if and when it is served.

After Mr. Ailes' death on May 18, 2017, Plaintiff had an opportunity to seek to substitute the estate, but failed to do so within the time allowed by Federal Rule of Civil Procedure 25(a)(1). Instead, Plaintiff took a voluntary dismissal of the action against Mr. Ailes which, for all intents and purposes, ended the case against him and his estate. Now, several months later, Plaintiff is seeking to join Mr. Ailes' estate to a case founded on claims that we understand Plaintiff's new lawyers are planning to amend after the remaining defendants made clear that they contain outrageously false allegations and are subject to dismissal, sanctions, and arbitration.

As stated above, to the best of our knowledge, Mr. Ailes' estate has not been served with any process in this action. We are submitting this letter to the Court for the limited purpose of bringing the forgoing facts to the attention of the Court and without waiver of, or prejudice to, any rights of the estate, including its right to receive service of process in the appropriate manner if and when it obtains permission to do so.

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Respectfully submitted,

/s/ Peter E. Calamari

Peter E. Calamari

cc: All Counsel of Record (via ECF)